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FM AMEMBASSY NAIROBI
TO RUEHC/SECSTATE WASHDC PRIORITY 2860
INFO RUEHAE/AMEMBASSY ASMARA 4986
RUEHDS/AMEMBASSY ADDIS ABABA 9579
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UNCLAS NAIROBI 004045

SIPDIS

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DEPT FOR AF/CA
DEPT FOR CA/FPP, CA/EX
PASS TO KCC
PASS TO INL/HSTC
POSTS FOR FRAUD PREVENTION MANAGERS

E.O. 12958: N/A

TAGS: KFRD CVIS CPAS CMGT ASEC KCRM KE

SUBJECT: QUARTERLY FRAUD SUMMARY - NAIROBI

REF: A. Nairobi 2771, B. Nairobi 2307, C. Nairobi 1389, D. 06
Nairobi 3733, E. 06 NAIROBI 2782, F. 06 NAIROBI 2509, G. 06 NAIROBI
1650, H. 06 NAIROBI 817, I. 06 NAIROBI 740, J. 05 STATE 205073, K.
05 NAIROBI 4523, L. 05 NAIROBI 3627

¶11. (U) Summary. The following report replies to Ref J reinstatement of the quarterly fraud report covering the current condition of consular fraud in Kenya, with specific reference to fraud trends in non-immigrant visa, immigrant visa, and diversity visa applications as well as cases of American Citizen Services, adoption, and passport fraud. Other areas covered include cooperation with the host government, and areas of particular concern. The review concludes with an overview of FPU staffing and training. End Summary.

COUNTRY CONDITIONS

¶12. (SBU) Consular operations in Nairobi are regional in nature, covering much of East Africa, to include immigrant visa operations for Kenya, Burundi, Rwanda, Uganda, Somalia, Eritrea, Seychelles, southern Sudan, Reunion, and Mauritius. Several of these countries have historically been politically unstable and involved significant migration by refugee groups. Due to the political history of and fluid borders in East Africa, as well as Kenya's role as a relatively stable country in the region, Nairobi's consular work maintains a fraud prevention posture that takes into consideration the high potential that applicants tend to have very fluid identities, including names, dates of birth, and other biometric information. These same factors (porous borders and malleable identities) have proven attractive to terrorist groups wishing to strike Western targets inside of Kenya.

¶13. (U) Over the past quarter, Post has encountered several attempts by cyber cafes to generate fake visa appointment letters. These are obvious "cut and paste" letters, and the applicants are often disappointed to hear that the appointment booking fee they paid to the cyber cafe is for a non-existent interview. Fees charged for fake appointment letters range from \$100 to \$175 according to scammed applicants.

¶14. (SBU) For the quarter, CCD reports indicate that Nairobi had 137 total fraud cases. The number of cases referred to FPU has dropped significantly as Post carried out an internal investigation of Nairobi's former Fraud Prevention Unit Investigation Assistant. The investigation determined conclusively that our former employee was involved in consular malfeasance; he was terminated, and immediately arrested by the Kenyan authorities. Nairobi is in the process of

hiring a new staff member for the position.

NIV FRAUD

15. (SBU) Students' financial support continues to be a focus area for FPU Nairobi. CCD text searches of sponsor names allow Nairobi to routinely catch F1 student applicants using recycled bank statements. Adjudicators have noticed that our tougher stance on student visa applicants over the past year has resulted in a growth in the quality and quantity of students who have scholarships or can demonstrate credible financial support.

IV FRAUD

16. (SBU) Relationship fraud continues to be a problem in Nairobi, particularly in the IR-1 and K-3 marriage-based categories. Post is actively using accourtint.com search tools to reveal information about petitioners which often undermines already poorly crafted relationship stories told by applicants.

17. (SBU) Thanks to a random inspection and interception of outbound mail by CBP officials, Post has an entire coaching packet for an IR-2 step-child petition which seriously calls into question the veracity of the relationship in question. Post will also review the bona fides of the applicant's brother who recently received a visa and traveled to the U.S.

DV FRAUD

18. (SBU) On July 25, Post's FPM received two emails from unknown sources threatening the lives of Kenyan journalists as well as Embassy staff. The emails complain about our fraud-prevention posture on ghost marriages outlined in the July 2006 Fraud Digest. For DV 2006 and 2007, Post has made great efforts to investigate add-on spouse marriages and found the vast majority of them to be fraudulent, leading to visa denials. As a result, Post has shut down what had become a human trafficking money maker for several fraud rings operating in Kenya. The emails, which were immediately shared with RSO, show the incredible frustration felt by the fraud rings at their loss of revenue and the termination of their human trafficking schemes.

19. (SBU) Since Post is taking a tough posture against add-on spouses in DV cases, applicants who notified NVC of their add-on spouses are now coming to the DV interview claiming the recently added-on spouse died suddenly. In support of these claims, the applicants are providing death certificates. In the first of these cases, a fraud investigation determined that the death certificate was fraudulent. Post believes this will be the modus operandi for these cases in light of Post's heightened scrutiny of DV add-on spouse cases.

10. (SBU) In July, two DV applicants stepped forward as whistle-blowers and described in detail how Post's former fraud prevention investigations assistant approached them and demanded money in order to facilitate their visa processing. He met with them on several occasions, usually after hours and on weekends, and his conversations with them were recorded by Kenya Anti-Corruption Police Unit investigators. RSO and Consular officers also carried-out an internal investigation which confirmed the allegations of malfeasance and resulted in the termination of our employee. The sole FSN position in FPU has been vacant since his termination in late-July.

11. (U) In August, Nairobi interviewed two Kenyan DV winners who claimed to be the same person. Both supplied valid Kenyan passports with the name and date of birth of the winning principal applicant. Both applicants had also added spouses to their cases. While not surprised, Post continues to be troubled that applicants can so easily fraudulently obtain valid Kenyan travel documents.

ACS and PASSPORT FRAUD

112. (SBU) A downtown bank called FPU about a suspicious individual holding a U.S. passport who was attempting to cash traveler's checks. The bank also called Kenyan police who arrested the individual. Careful inspection of the passport and review of PIERS indicates that the passport was stolen in Nairobi in January 2007 and that the biometric page had been overlaid with a new photo and information behind a new laminate. The fraudster also laminated the signature page, which along with his odd behavior tipped-off the bank employees.

113. (SBU) FPU worked with local authorities at the airport to determine that an elderly Somali-American gentleman was facilitating an attempt to traffic three other Somalis on his daughter and grand-daughter's passports. Kenyan immigration authorities decided to prosecute the facilitator who was apparently recognized as having previously attempted to do the same thing. Personal interviews of the three teenage look-alike fraudsters revealed they had been poorly coached. When the FPM asked one her date of birth, she stated that she did not know, but she said we should ask her grandfather who would certainly know.

ADOPTION

114. (U) Nairobi has had one IR-2 case which involves a Uganda-based adoption which appears to be fraudulent. This case follows the pattern of similar Kenyan cases where Kenyan-American adopting parents attempt to adopt distant family members who have lost their parents and guardians in Kenya. Nairobi FPU believes that due to the length of the adoption legal process, petitioners resort to forged court documents to expedite the process.

ASSISTING USCIS

115. (U) Post's fraud unit continues to act as a resource for domestic USCIS investigators verifying documents for Kenyans attempting to change status in the U.S. USCIS officers tell us that among Kenyans, their most fraud-prone cases involve members of the Kisii tribe who also commit the majority of DV fraud seen in Nairobi.

HOST GOVERNMENT

116. (SBU) Nairobi receives decent cooperation from the host government; however, the Kenyan government has not honored its requirements under the Geneva Convention regarding consular notification. In the previous quarter, Nairobi learned about the death of an Amcit from an anonymous caller who informed us that Kenyan police had dumped the body in a local morgue without refrigeration. Hours later, Post identified the body with difficulty, as it had been nearly a week since the death occurred. Post has yet to receive official notification of the death, nor have we received substantive responses to our Diplomatic Notes protesting this breach of the Vienna Convention on Consular Relations.

AREAS OF CONCERN

117. (U) Post believes that Kenyan borders and ports will continue to be porous transit points for third-country nationals attempting to travel on fraudulent documents. Nairobi also believes that, following ongoing fighting in Somalia, potentially malevolent applicants may attempt to apply for visas in Nairobi. Potential threats to U.S. security are likely to have significant resources and may attempt to procure genuine Kenyan documents in order to get a US visa. As such, following the recent OIG's recommendation, Post believes it is critical that we purchase a powerful anti-fraud tool: the Foster and Freeman VSC4Plus with Document Imaging Software Suite, at an installed cost of roughly \$33,000. We continue to believe that the VSC4Plus would greatly enhance Post's anti-fraud

posture and would enable us to expand on our anti-fraud cooperation with host-government authorities.

STAFFING AND TRAINING

¶18. (U) Nairobi has begun to accept NIV, IV, and DV cases from Eritrea following the closure of visa operations in Asmara. Eritrean cases have increased our IV workload by approximately 25 percent. While we appreciate the Asmara's consular officer's offer to provide TDY-assistance in Nairobi, temporary assistance is insufficient. Additionally, the passport-related backlogs in the U.S. mean that only one Vice Consul will be doing the work of four from September 2007 onwards. The final month of the 2007 DV season showed that slightly more than 30 percent of our DV cases in September 2007 were Eritrean.

¶19. (U) The FPU unit's sole FSN has been terminated for malfeasance, and in his absence two NIV FSNs with significant collateral duties are attempting to fill-in for him. Due to short staffing among the officers, Post's fraud prevention efforts at the officer level continue to be diminished; however, Post is happy to note that the new ARSO/I is assimilating quickly. The current Fraud Prevention Manager with collateral duties, Etienne LeBailly, who received FPM training in December 2005, departs Post in late-August. When fully staffed sometime late in 2007, Richard Nicholson will take over FPM duties.

RANNEBERGER